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DEPARTMENT FOR EUR/SE

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SUBJECT: TURKEY FACES OBSTACLES ON PATH TO EU MEMBERSHIP

REF: ANKARA 6763

Classified by Acting DCM James Moore; reasons 1.4 b and d.

11. (C) Summary: Now that Turkey has begun EU accession talks, it faces the difficult prospect of meeting EU requirements regarding Cyprus, minority rights, religious freedom, civil-military relations, and freedom of expression. This will require Turkey to open debate on sensitive topics and change longstanding state policy and ideology, while at the same time implementing difficult, EU-driven economic reforms. The challenge may be further complicated by the strength of Turkish nationalism. The GOT will also have to alter its practice of delaying reform until shortly before a looming deadline. End Summary.

12. (U) The GOT over the past four years has adopted a vast array of legislative reforms in pursuit of Turkey's EU candidacy. While the reforms are impressive on paper, the EU and other observers have often noted that implementation of the changes has lagged. Nevertheless, the EU in December 2004 determined that Turkey "sufficiently fulfills" the Copenhagen political criteria in order to begin accession talks, which started in October.

13. (C) Now that the accession process has begun, the GOT will need to enact far more profound changes to advance toward membership. Turkey will have to open debate on a long list of taboos -- on issues such as minority rights, religious pluralism, and civil-military relations -- and change some of the fundamental concepts dating to the founding of the Republic of Turkey in 1923. "Changing laws is not enough," said Sema Kilicer, political officer at the European Commission Representation to Turkey. "Unless Turkey can re-define citizens' rights in a more liberal way, it will not make it. Now things are going to start getting tough."

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Turkey Faces Obstacles on EU Path  
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14. (C) Turkey will be able to set its own pace -- the accession process will take 10 years at a minimum. But the GOT will have to make sustained, steady progress to overcome a unique set of obstacles. Consistent EU pressure brought Turkey to the start of accession talks -- just as IMF pressure has led GOT economic reforms -- but Turkey will have

to create its own momentum to complete the process of fully complying with the political criteria and adopting the 80,000-page EU acquis. As it does so, the following factors are likely to prove particularly troublesome:

-- Cyprus: The unanimous approval of the EU Council will be required to open and close each of the 33 acquis chapters. This will effectively give Cyprus 66 opportunities to freeze the process. The EU in 2006 will review Turkey's compliance with the Customs Union. EU officials have made clear to the Turks that full compliance requires allowing Greek Cypriot vessels access to Turkish ports, something GOT contacts say is out of the question unless the EU moves first to alleviate the isolation of the "TRNC." Ultimately, the EU will not allow Turkey to accede until it recognizes Cyprus, and the GOT will not grant recognition until there is a full Cyprus resolution.

-- Minority Rights: Despite the reforms, the GOT continues to cling to a restrictive, anachronistic concept of "minorities." At the founding of the Republic, Ataturk established a unitary "Turkish" identity. Based on its interpretation of the 1923 Lausanne Treaty, the state recognizes the existence of only three minorities -- Greek Orthodox Christians, Armenian Orthodox Christians, and Jews. The open expression of any other identity outside the mainstream is considered a threat to national unity. As an example, shortly before the EU released its Progress Report November 9, Justice Minister Cicek warned that the GOT would issue a protest if the report referred to Alevis as a minority (it did not). As long as Turkey maintains a definition of minority completely at odds with the Western concept, it will not be able to meet EU requirements on

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minority rights. GOT officials sometimes argue that the Turkish concept of minority rights is consistent with that of France; EU contacts say there is some truth to that, but note that France was an EU member long before the Copenhagen Criteria were established in 1993.

-- Religious Freedom: For the same reasons, the state also considers religious pluralism a threat to national unity. The EU is pressing Turkey to expand freedoms for religious minorities, while avoiding the issue of Turkish state control over Islam. Many pious Turkish Muslims resent official restrictions on Islam, such as the ban on Islamic headscarves in universities. The Islam-oriented ruling AK Party has made little headway in addressing these issues, and is loath to expand freedoms for religious minorities without delivering on issues important to its Islamic political base. The recent decision by the European Court of Human Rights upholding the headscarf ban underscored this dilemma.

-- Civil-Military Relations: The EU is calling for the Turkish military to withdraw from the political sphere; the November Progress Report calls attention to recent speeches by leaders of the armed forces on political matters. As noted reftel, no elected Turkish government can force military leaders to cease the practice of commenting on political matters. The political role of the armed forces is a firm tradition in Turkey, supported by the vast majority of Turks. Military leaders will have to be persuaded to phase out their political influence. "This one will take time," said Koksal Toptan, AK MP and chairman of the parliamentary Justice Committee. "There are some things we cannot change as quickly as they can write in Brussels."

-- Nationalism: Turkish nationalism runs deep and wide. It has blended with every other ideology in Turkey -- socialism, Islamism, etc. It is well represented in every significant political party. At some level, all Turks are nationalists. Hardcore nationalists are already opposed to EU membership, which they see as a ploy by Western powers intent on weakening and dividing Turkey. The accession process, which a Polish official reportedly described as "humiliating," will

provide numerous opportunities for nationalists to win people over to their cause. When the EU insists on further reform in sensitive areas such as minority rights and religious freedom, nationalists will cite this as evidence of a plot to create divisions in Turkish society. EU economic requirements will force dramatic changes, such as a major reduction in the number of agricultural workers, who currently constitute a third of the workforce. These changes, painful in the short term, will create a pool of disaffected workers vulnerable to an anti-EU message. Of course, this challenge is not unique to Turkey. Nationalism is also strong in many of the 10 states that joined the EU in 2004. But those countries had recently emerged from behind the Iron Curtain and were eager to re-join Europe. They could blame communism, which was forced on them, for their deficiencies, and thereby save face. Turkey's history is different, and Turkish nationalism may therefore prove to be a greater handicap.

-- Freedom of Expression: Free speech is the fundamental tie that binds all other human rights problems in Turkey. Anyone making controversial statements on the issues listed above risks prosecution. EU-related reforms have done little to expand freedom of expression. It remains illegal to "insult" the Government, the state or its institutions, Ataturk, or "Turkish identity." The GOT has amended the law so that speech intended to "criticize" but not "insult" is no longer prohibited. However, the law does not define the concept of "insult," so prosecutors continue to open cases against those who contradict the official view on sensitive topics, as demonstrated by the case against Orhan Pamuk. Moreover, defamation laws provide greater protection to public officials than to ordinary citizens, a fact that PM Erdogan has exploited by repeatedly suing political cartoonists whose work he found offensive. GOT officials claim to support freedom of expression in principle, but are very rarely prepared to defend the right of citizens to speak out on sensitive topics.

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-- Negotiating Tactics: The Turks have a tendency to negotiate by inflexibly maintaining their position, compromising only at the last moment. This has been Turkey's approach to the EU process to date; the GOT has often given in to EU pressure and enacted reforms shortly before an EU Summit or Progress Report. "That's the way we work," laughed Kaya Turkmen, MFA DDG for EU Affairs. Turkmen told us he has warned colleagues that this approach will no longer serve Turkey now that accession talks have begun. The European Commission, he said, will set benchmarks on a wide range of acquis requirements and task the GOT with developing a valid plan for compliance. There will be no deadlines to force action. The GOT will have to make gradual, steady progress without outside political pressure. The Commission will set requirements, and will generally not engage in the kind of political haggling the GOT is accustomed to. "We shouldn't call it a negotiation really," said Kilicer. "We should call it 'cut, copy, and paste.'"

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Comment: Political Pressure to Continue  
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15. (C) In a perfect world, Turkey's EU candidacy would now drop below the radar screen, allowing the European Commission and the Turkish bureaucracy to work through these issues without political pressure. But that is highly unlikely. The accession process will force Turks to confront all of the sensitive subjects they prefer to avoid. This will inevitably cause public controversy, and when it does, those opposed to Turkey's EU candidacy -- both in Turkey and Europe -- will turn up the heat.

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